

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

ANGEL FRALEY; PAUL WANG; SUSAN
MAINZER; JAMES H. DUVAL, a minor, by
and through JAMES DUVAL, as Guardian ad
Litem; and W.T., a minor, by and through
RUSSELL TAIT, as Guardian ad Litem;
individually and on behalf of all others
similarly situated,

Plaintiffs,

v.

FACEBOOK, INC., a corporation; and DOES
1-100,

Defendant.

Case No. 11-CV-01726 RS

**[PROPOSED] ORDER GRANTING MOTION
FOR ATTORNEYS' FEES, COSTS AND CLASS
REPRESENTATIVE SERVICE AWARD**

Date: June 28, 2013
Time: 10:00 a.m.
Judge: Hon. Richard Seeborg
Courtroom: 3

1 The Plaintiffs' Motion For Attorneys' Fees, Costs And Class Representatives' Service
2 Awards filed by Plaintiffs, Susan Mainzer, James H. Duval, and W.T., a minor, by and through
3 Russell Tait as Guardian ad Litem ("Plaintiffs") on behalf of themselves and all others similarly
4 situated, came on for hearing on June 28, 2013. This Court has reviewed the motion, including the
5 Memorandum of Law and supporting declarations of Robert S. Arns, Jonathan M. Jaffe and
6 Richard Pearl, as well as the previously filed Joint Motion for Preliminary Approval of Class
7 Action Settlement and supporting documents, the previously filed Motion for Class Certification,
8 Appointment of Class Counsel and Appointment of Class Representatives Pursuant to Motion for
9 Preliminary Approval and supporting documents, and considered the arguments of counsel. Based
10 on this review and the findings below, the Court found good cause to grant the motion.

11 Having read and considered the briefing and supporting documents, and the arguments
12 of counsel, the Court grants the Motion in all respects. The Court hereby FINDS and ORDERS:
13

14 1. This Court has jurisdiction over the subject matter of this application and all matters
15 relating thereto, including all Members of the Settlement Class who have not timely and validly
16 requested exclusion.

17 2. The requested attorneys' fees and costs are fair, reasonable, and were incurred in the
18 best interests of the Settlement Class. Class Counsel, The Arns Law Firm and Jonathan Jaffe Law,
19 have achieved an excellent result for the Settlement Class, and based upon the quality of the work
20 and results for the class, is entitled to the requested multiplier applied to their lodestar of _____. The
21 fees are also appropriate under a percentage-of-recovery analysis, under method, given, among
22 other factors, the result obtained for the Settlement Class, the financial burden of contingent
23 representation, and the quality of Counsel's work. *See Vizcaino v. Microsoft Corp.*, 290 F.3d 1043
24 (9th Cir. 2002).
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1 3. The Arns Law Firm and Jonathan Jaffe Law are awarded \$7,500,000.00 in fees, and
2 reimbursement of expenses in the amount of \$282,566.49, for a total fee and expense award of
3 \$7,782,566.49, payable to The Arns Law Firm.

4 4. Plaintiffs Susan Mainzer, James H. Duval, and W.T., a minor, by and through
5 Russell Tait as Guardian ad Litem have helped obtain a benefit for the Settlement Class, and are
6 each awarded \$12,500.00 for their service as Class Representatives, for a total of \$37,500.00.

7 5. Fourteen (14) business days after the Final Settlement Date as defined in the
8 Amended Settlement Agreement §1.13, the Settlement Administrator shall pay the above-stated
9 attorneys' fees and costs to Class Counsel pursuant to A.S.A. §2.5(b), and the and service award to
10 the Class Representatives pursuant to A.S.A. §2.6. These amounts will be paid from the
11 Settlement Fund. Settlement Agreement, A.S.A. §§2.5, 2.6.

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14 **IT IS SO ORDERED.**

15
16 DATED: _____

HON. RICHARD SEEBORG
U.S. DISTRICT COURT JUDGE